

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER GRANTING</b>
<b>DAKOTACOMM, LLC FOR A CERTIFICATE OF )</b>	<b>CERTIFICATE OF</b>
<b>AUTHORITY TO PROVIDE INTEREXCHANGE )</b>	<b>AUTHORITY</b>
<b>TELECOMMUNICATIONS SERVICES AND )</b>	
<b>LOCAL EXCHANGE SERVICES IN SOUTH )</b>	<b>TC04-103</b>
<b>DAKOTA )</b>	

On June 16, 2004, the Public Utilities Commission (Commission) received an Application for a Certificate of Authority from DakotaComm, LLC (DakotaComm) for approval to provide interexchange telecommunications services in South Dakota and local exchange services in the exchange area of Vermillion, South Dakota.

DakotaComm proposes to offer local exchange services in the exchange area of Vermillion, South Dakota, intraLATA services and interLATA services through a combination of reseller and facilities-based provisioning.

On June 17, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of July 2, 2004, to interested individuals and entities. No petitions to intervene or comments were filed and at its regularly scheduled August 17, 2004, meeting, the Commission considered DakotaComm's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to a continuous \$25,000 surety bond. Commission Staff further recommended a waiver of ARSD 20:10:24:02(12) and ARSD 20:10:32:03(11).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and 49-31-69 and ARSD 20:10:24:02, 20:10:24:03 and 20:10:32:03. The Commission finds that DakotaComm has met the legal requirements established for the granting of a certificate of authority. DakotaComm has, in accordance with SDCL 49-31-3 and 49-31-71, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive subparagraph (12) of ARSD 20:10:24:02 and subparagraph (11) of ARSD 20:10:32:03. The Commission approves DakotaComm's application for a certificate of authority, subject to a continuous \$25,000 surety bond. As the Commission's final decision in this matter, it is therefore

ORDERED, that DakotaComm's application for a certificate of authority to provide interexchange telecommunications services in South Dakota and local exchange services in the exchange area of Vermillion, South Dakota, is hereby granted, subject to a continuous \$25,000 surety bond. It is

FURTHER ORDERED, that the Commission waives ARSD 20:10:24:02(12) and ARSD 20:10:32:03(11). It is

FURTHER ORDERED, that DakotaComm shall file informational copies of tariff

changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 26th day of August, 2004.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

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ROBERT K. SAHR, Chairman

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GARY HANSON, Commissioner

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JAMES A. BURG, Commissioner